Govt. No.

South II-39-

(1) Home (1948) Department

1/B SERIES.

(1)

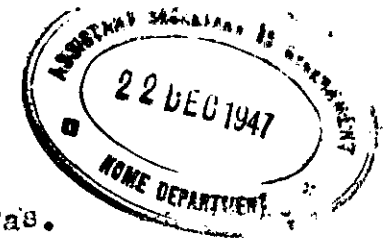
G.O. NO. 129

Dated 12.1.48

[Despatch Abstract.]

Courts - Criminal - South Kanara dt
Trial of cases relating to Bogus Lotteries
Special First Class Magistrate and Staff -
Continuance - Sanctioned.

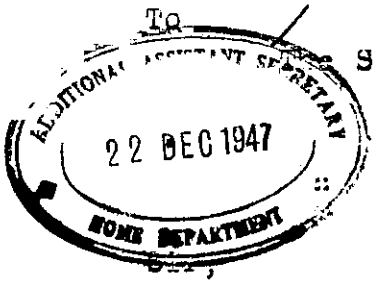
R.O.C.No.7109/47-D3.



From

P.T.Raman Nayar Esquire, I.C.S.,

Registrar, High Court, Madras.



To

The Secretary to Government,

Home Department (with enclosure).

92761-D
22.12.47

Dated 15th December 1947.

Sub: Courts - Criminal - Court of the Special First Class Magistrate for the trial of bogus lottery cases, South Kanara District - Continuance

Ref: G.O.No.1162, Home dated 22-3-47.

I am to forward for ordersof Government letter Ref.C.No.8255-47-C1 dated 5-12-47 from the District Magistrate of South Kanara on the subject cited. The Hon'ble the Judges recommend the continuance of the Special Magistrate with staff until 30-4-1948.

2. Necessary supplementary appropriation will be applied for in February next as regards the entire expenditure in this year.

Provision may be made in the next year's budget as regards . | A

the expenditure in the next year.

REGISTRAR.

Ref.C.No.8255-47-C1.

1109/47

S.Kanara Dt.Magist[redacted]
Mangalore dated 5.1[redacted]

From

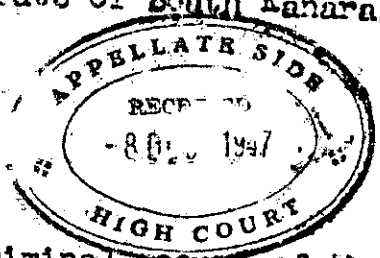
J.F.Saunders Esq.,M.B.E.,I.C.S)
Dt.Magistrate of South Kanara.)

To

The Secretary to Gover[redacted]
Home Department,
Madras.

Through

The Registrar,
The High Court of Judi[redacted]
Madras.



Sir,

COURTS- Criminal- Court of the special I Class Magistrate for t[redacted] trial of bogus lotteries, S.Kanara- continuance up to 30.4.1948- sanction- sought for.

Ref: G.O.Ms.No.1162 Home dated 22.3.1947.

In the Government order cited above sanction was accorded to the establishment of a special First Class Magistrate's Court at Mangalore for the trial of bogus lottery cases. The court began to function on 30.6.47 and the period of its sanction expires on 29.12.47.

2. Sixteen charge sheets have been filed by the police before this court and all of them are pending. An accused person concerned in 3 cases is a prisoner in the Yervada Central Jail,Poona. His presence could not be secured so far. A requisition under section 40 of the Prisoners' Act for the production of the prisoner has been sent to the Government of Bombay through the High Court at Madras. In one case there are 3 accused persons who are residents of Miraj state. Extradition proceedings were started for the surrender of these persons as soon as the court started to function. The Secretary to Government,Home Department Madras in his letter Rontine No.2344 dated 4.9.47 had requested to Dewan of Miraj to surrender the accused to the nearest Indian Police Station. The accused have not yet been produced and if they are produced in the course of the next few days, the cases may be expected to be disposed of by about the end of March 1948.

3. Almost all the cases are still in the prosecution stage. In all, 246 witnesses have been examined in these cases and about 96 witnesses remain to be examined on behalf of the prosecution. The accused are likely to cite a number of defence witnesses from all over British India. Judging from the progress so far made I consider that it will not be possible for the magistrate to dispose of the cases before the 15th April 48. To be on the safe side I think that the term of the court should be extended up to 30.4.48. The D.S.P has also applied to the I.G of Police for sanction to the continuance of the police staff employed on anti-smuggling duty and court work till 30.4.48. I request that sanction may kindly be accorded to the continuance of the special Magistrate and the staff (last sanctioned in G.O.Ms.No. 1162,Home dated 22.3.47) till 30.4.48.

4. A statement showing the progress made in the hearing of each case is appended.

5. I shall continue the magistrate and the staff beyond 29.12.47 in anticipation of sanction.

For Dt.Magistrate

APPENDIX

Statement showing the No. of witnesses examined exhibits filed etc. - Court of the Spl. I.Clas trial of Bogus Lottery Cases, Kankandady, Mangal

C.C.No.	No. of witnesses so far examined.	No. Exhibits filed with alphabets.	State at which the case is.	t exa for proce	
1/47	...	...	One of the accused not appeared.	15	Posted to 30-11-47 (Vide para 2 of the reference)
2/47.	- do -	- do -	- do -	16	- do -
3/47.	23	P.185.	Prosecution stage	1	Adj. to 29-11-47
4/47.	...	...	3 accused not appeared.	26	- do - 30-11-47.
5/47.	21	P. 73	Prosecution stage	1	- do - 28-11-47.
6/47.	...	...	One of the accused not appeared.	15	(Vide para 2 of the refer ence.)
7/47	28	P.153	Prosecution Stage.	3	Adj.29-11-4
8/47	20	P.74.	- do - closed.	..	" 25-11-47. for question ing accused.
9/47	25	P.58.	Prosecution stage.	2	Adj. 22-11
10/47.	15	P.105.	- do -	3.	" 21-11-4
11/47.	16	P. 85.	- do -	1	" 24-11-47
12/47.	16	P.112.	- do -	3	" 27-11-47.
13/47	25	P.132.	- do -	5	" - do -
14/47.	27	P. 70.	- do -	1	" 24-11-47
15/47.	30	P.110	- do -	4	" 1-12-47
	246			96	

Sd. xx xx xx
Spl. I.Cl. Magistrate,
Mangalore.

(True copy)
S.K. District Magistrate's Office,)
Mangalore. Dated 5-12-47.)

For District Magistrate.

Bas/ Copy to A Section.
Copy to Special First Class Magistrate South Kanara. 6/12

C.No 92761 D/47

Hon

G.O.Ms.No. 129 dated 12-1-48

COURTS - Criminal - South Kanara - Trial of cases relating to Bogus Special First Class Magistrate and Sanctioned.

READ:- G.O. Ms. No. 1162, Home, dated 22-3-1947

From the Registrar, High Court, R.O.C.No. 7109/47-D3, dated 15-12-1947

ORDER

His Excellency the Governor of Madras sanctions the retention up to 30th April 1948 of the post of Special First Class Magistrate and staff in the South Kanara district sanctioned in G.O. Ms. No. 1162, Home, dated 22-3-1947.

2. The expenditure should be debited to the relavant sub-heads of appropriation under "27. Administration of Justice - h. Criminal Courts - Voted".

To the Hon. the C.J.
" Bd. of Rev. p.3
(with copy of ~~pp. 1-5~~ c.f.)
" D.M., South Kanara
" A.G. thro' the Fin. Dept.
" Rev. Dept.

ASSISTANT SECRETARY TO GOVERNMENT 8 - JAN 1948 HOME

ASST. SECRETARY TO GOVERNMENT 8 JAN 1948 FINANCE DEPARTMENT

NOTE:- Please see the D.M's letter at p. 3 c.f. and the High Court's recommendation thereon at p. 1 c.f. ~~for the continuance of the staff sanctioned in G.O. Ms. No. 1162, Home, dated 22-3-1947.~~ till 30.4.48 The draft order submitted is for approval. It may be sent to Finance for acceptance ~~of the draft order.~~ before closure. That dept. may be requested to take necessary action on the reference to A.G.

Finance (E.I)

The draft order above may be accepted.

Home U.O.92761-D/47-1 3.1.48 Copy taken for further action

Thro' B.E.III

Fin U.O. 91 E IV/48 dt 7-1-48.

Home

ADDITIONAL ASSISTANT SECRETARY
8 JAN 1948
HOME DEPARTMENT

2584 D
8.1.48.

Issued as G O No 129 Home d/ 12.1.48

Ref.C.No.8255/47.C3.

S.K.Dt.Magistrate's Office,
Mangalore dated 9-1-48.

17 JAN 1948
HOME DEPARTMENT

From
J.F.Saunders Esq., MBE.,ICS.,)
Dt. Magistrate of S.Kanara,)
Mangalore.)

To
The Secretary to Govt.
Home Department,
Madras.

Sir,

COURTS:- Criminal - court of the special first class Magistrate for the trial of bogus lotteries, South Kanara - continuance up to 30-4-1948- Sanction.

Not put up Ref. G.O.M.No.1162, Home, dated 22-3-1947.

I invite attention to my report Ref.C.No.8255 -47-C1 dated 5-12-47 submitted through the High Court of Judicature, Madras and request the favour of immediate orders.

For Dt. Magistrate.

Copy to the Registrar, High Court of Judicature, Madras.

4921-D/48

Reminder

Home Dept:

Please see the ~~letter~~ from the D M South Kanara on ~~fr~~ land.
Orders were issued in G.O 145 no 129 Home d/ 12:1 48. Navaaksha - pr 7 of (H)
~~Recalled for~~ ~~this reminder letter~~. May be lodged and
filed with the G.O at (H).

Sd. Roy
21.1.48.

Sd. [illegible]
22/1/48